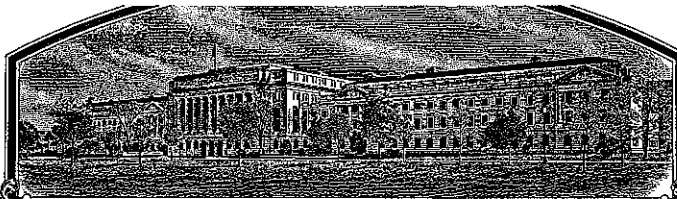


No.

200500275



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**D&H Technology Holding Company, LLC**

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

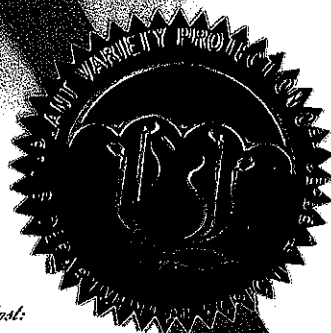
NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLINISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

COTTON

'06CX924BR'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of September, in the year two thousand and six.

Attest:



*[Signature]*  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*[Signature]*  
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER <b>D&amp;PL Technology Holding Company, LLC.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>05X494BR</b>		3. VARIETY NAME <i>with 4/24/06 PER EMA 4/28/06</i> <b>06CX924BR</b>	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country ) <b>PO Box 157 100 Main Street Scott, Mississippi 38772 USA</b>		5. TELEPHONE (include area code) <b>(662) 742-4141</b>		PVPO NUMBER <b>200500275</b>	
6. FAX (include area code) <b>(662) 742-3182</b>		7. IF THE OWNER IS NOT A "PERSON" GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation</b>		8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>Delaware</b>	
9. DATE OF INCORPORATION <b>February 29, 1996</b>		10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) <b>Delta and Pine Land Company Kelly Casavechia P.O. Box 157 Scott, MS 38772</b>		FILING AND EXAMINATION FEE: <b>\$ 3,652.00</b> DATE <b>6/13/05</b> CERTIFICATION FEE: <b>\$ 682.00</b> DATE <b>9/12/05</b>	
11. TELEPHONE (include area code) <b>(662) 742-4141</b>		12. FAX (include area code) <b>(662) 742-3182</b>		13. E_MAIL <b>kelly.h.casavechia@deltaandpine.com</b>	
14. CROP KIND (Common Name) <b>Cotton</b>		15. GENUS AND SPECIES NAME OF CROP <b>Gossypium hirsutum</b>		16. FAMILY NAME (Botanical) <b>Malvaceae</b>	
17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse). a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)			
19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)			
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.  Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER <i>Don L. Keim</i>		SIGNATURE OF OWNER <i>William V. Hugie</i>			
NAME (Please print or type) <b>Don L. Keim</b>		NAME (Please print or type) <b>William V. Hugie</b>			
CAPACITY OR TITLE <b>Cotton Breeder</b>		DATE <b>June 10, 2005</b>		CAPACITY OR TITLE <b>Vice President/Director of Research</b>	
				DATE <b>June 10, 2005</b>	

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,705 (\$320 filing fee and \$2,385 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

#### ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieites, lines, or clones used, and the breeding method  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of realted varieties:
- (1) Identify these varieties and state all differences objectively;
  - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Secion 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.
21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

Bollgard® with Roundup Ready® cotton

THESE SEEDS ARE COVERED UNDER U. S. PATENTS 5,633,435; 5,500,365; 5,424,200; 5,359,142; 5,352,605; 5,530,196; 5,322,938; 5,196,525; 5,188,642; 5,164,316; 4,940,835; 5,717,084; 5,728,925; and 5,804,425.

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed/lsg-sd.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U. S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

S&T-470 (04-01) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (02-89) which is obsolete.

**EXHIBIT A****DELTA AND PINE LAND COMPANY'S APPLICATION FOR  
05X494BR '06CX924BR'****ORIGIN AND BREEDING HISTORY****1. GENEALOGY**

05X494BR is a selection derived from a backcross involving DP5415BR-171 as a donor parent and DP 491 as a recurrent parent. DP5415BR-171 has the Monsanto developed gene from *Bacillus thuringiensis* (Bt, 531 construct) and the EPSPS gene (1445 construct) that gives tolerance to certain lepidopteron insects and the herbicide glyphosate, respectively.

The F1 and BC1 crosses were made in the field in 1998 at Scott, MS and in Costa Rica, Winter, 1998-99. The BC2 crosses were made and the BC2F1 plants were grown and selfed in the greenhouses at Scott, MS. BC2F2 and BC2F3 plants were grown and selfed in the field in Costa Rica.

BC2F4 progeny rows were grown at Scott, MS in the Summer, 2002. Progeny rows were tested for trueness to the DP 491 plant type and for purity of the 1445 and 531 gene insertions. A single selected line, MS5256[531][1445]-02BC2F3-581, was designated 05X494BR in 2003. Breeder increases were grown in Scott, MS in 2003 and 2004. Foundation increase was planted in Eloy, Az in 2005.

Selection criteria used in the BC2F2 through BC2F5 generations included PCR screening plants for presence and homozygosity of the 1445 and 531 gene insertion. Selection criteria used in the selection of this line in the BC2 F4 and BC2F5 generations included lint percent, fiber quality traits (micronaire, length and strength) and agronomic traits (plant type, plant maturity, plant height and storm resistance).

**STATEMENT ON UNIFORMITY AND STABILITY**

05X494BR has been observed every generation since 2002 and has shown to be uniform and stable. Less than 2% of the plants do not contain both of the gene insertions 1445 and 531.

**EXHIBIT B****DELTA AND PINE LAND COMPANY'S APPLICATION FOR  
05X494BR '06CX924BR'****STATEMENT OF DISTINCTNESS**

05X494BR is a picker-type upland variety. The picker-type varieties as a group are distinguished from stripper varieties primarily by a more open or loose boll type. The picker-type varieties are distinguished from Acala-type varieties primarily by earlier maturity, higher heat tolerance, shorter fiber length and lower fiber strength.

05X494BR is different from many other picker-type varieties in that its plants possess two transgenes (1445 and 531 gene insertions) developed by the MONSANTO COMPANY. The gene insertion 1445 causes plants to be tolerant to the herbicide ROUNDUP (glyphosate). The gene insertion 531 (commercialized under the trade name Bollgard) enables plants to be tolerant to certain lepidopteron insects.

DP 488 BG/RR was used as the most similar variety because it has many characteristics in common with 05X494BR. Also, DP 488 BG/RR and 05X494BR were derived from the same backcross. In comparison, 05X494BR differs from DP 488 BG/RR in lint percent and fiber micronaire.

Novelty of 05X494BR is claimed on the following characteristics, for which there are significant differences from the comparison variety, at the 5% level of probability or less.

Trait	05X494 BR	DP 488 BG/RR	Probability	Reference Table
Lint percent	42.78	40.99	0.0018	1
Fiber micronaire	4.32	4.18	0.0025	1

Supporting Tables:

<u>Table</u>	<u>Test</u>	<u>Years</u>	<u>Locations</u>
1	Head to Head Comparisons	2003, 2004	7 tests – Midsouth, Southeast
2	PVP Trial	2004	Scott. Ms
3	PVP Trial – Final Plant Map	2004	Scott, Ms

Explanations:	
<b>Lint Percent</b> =	percentage of the seed cotton that is lint, handpicked samples
<b>Mic</b> =	micronaire, measure of fiber fineness (high = coarse fiber)
<b>Len</b> =	fiber length (inches)
<b>Ur</b> =	uniformity ratio, proportion of uniform length fibers
<b>T1</b> =	fiber strength, grams per tex (high = stronger fiber)
<b>E1</b> =	elongation, measure of fiber elasticity, (high = more elastic)
<b>Mr</b> =	fiber maturity ratio
<b>Cm to FFB</b> =	cm to first fruiting branch
<b>Seed/boll</b> =	number of seeds per boll, handpicked samples
<b>Seed cotton/boll</b> =	weight of seedcotton per boll, handpicked samples
<b>Lint/boll</b> =	weight of lint per boll, handpicked samples

6/8/2005 10:40 AM

105A424BK W  
'06CX924BR

Values in red are derived from the Analysis of Variance routine in the EXCEL - ANALYSIS TOOL PAK add-in

Table 2. PVP Trial - 2004 - Scott, MS

Ent Xno	Lint				Cm to				Seed			
	Percent	Mic	Len	Ur	T1	E1	Mr	FFB	Seeds	Cotton	Lint	Seed
								/boll	/boll	/boll	/boll	Index
3 DP 555 BG/RR	44.7	4.8	1.13	83	27.3	10.4	87.8	12.5	33.1	4.9	2.2	8.1
11 05X494BR	43.1	4.7	1.18	84.1	30.2	9.5	88.0	13.9	30.7	5.4	2.3	10.1
12 DP 488 BG/RR	41.8	4.5	1.18	85.0	31.3	10.2	87.3	13.1	29.3	5.2	2.1	10.3
14 DP 455 BG/RR	43.3	4.1	1.15	83.9	30.3	10.0	87.0	10.8	32.2	5.1	2.2	9.0
15 DP 449 BG/RR	40.5	4.7	1.15	84.2	31.2	9.9	88.0	11.0	31.4	5.1	2.1	9.7
Mean	42.0	4.8	1.18	85.6	30.8	11.8	87.3	10.4	32.2	5.9	2.5	10.5
Cv	1.4	2.8	1.6	0.8	3.1	4.5	0.7	22.3	7.5	6.3	6.4	3.5
Lsd .05	0.7	0.2	0.02	0.8	1.1	0.6	0.7	2.9	2.8	0.4	0.2	0.4
No. Reps	4	4	4	4	4	4	4	4	4	4	4	4
Heritability	0.98	0.90	0.88	0.69	0.90	0.87	0.70	0.49	0.62	0.81	0.85	0.95
R-squared	0.93	0.75	0.72	0.44	0.76	0.90	0.78	0.30	0.36	0.58	0.66	0.87

06C924BR

200500275



Table 3. PVP Trial - Scott, MS - 2004 - Plant Map Summary								
Ent	Variety	Total Nodes	Nodes to FFB	Fruiting Branches	HNR	NAWF 8-Jul	Date of First Flower	
3	DP 555 BG/RR	24.5	6.3	18.2	2.08	9.1	3-Jul	
11	05X494BR	20.5	6.1	14.5	2.22	8.5	2-Jul	
12	DP 488 BG/RR	21.4	5.5	15.9	2.11	8.7	3-Jul	
14	DP 455 BG/RR	22.9	6.0	17.0	2.25	8.5	1-Jul	
15	DP 449 BG/RR	21.9	5.7	16.3	2.22	8.6	5-Jul	
	Mean	21.8	5.9	16.0	2.21	8.4	3-Jul	
	LSD 0.05	1.5	0.5	1.4	0.14	0.7	NS	
	Std. Error	0.5	0.2	0.5	0.05	0.2	1	
	P	<.0001	<.0001	<.0001	<.0001	0.000	0.827	
	C.V.%	4.9	6.3	6.2	4.5	5.6	1.3	
Planted 4/29/2003								
HNR = Height to Node Ratio NAWF= Node above white flower								

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705**

**EXHIBIT C  
(COTTON)**

**OBJECTIVE DESCRIPTION OF VARIETY  
COTTON (*Gossypium* spp.)**

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
D&PL Technology Holding Corp.	<b>05X494BR</b>	06X924BR
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)	FOR OFFICIAL USE ONLY	
PO Box 157 100 Main Street Scott, MS 38772 USA	PVPO NUMBER <b>200500275</b>	

Place the appropriate data that describes the varietal characteristic of this variety in the space provided. Characteristics described, including numerical measurements, should represent those that are typical for the variety. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characters marked with an asterisk \* indicate necessary characters to be measured.

SPECIFIC VARIETIES USED FOR COMPARISON AS CHECK VARIETIES IN THIS APPLICATION: Use standard regional check varieties which are adapted to your area. One of the comparison varieties must be the most similar variety used in Exhibit B.

Variety 1. DP 488 BG/RR Variety 2. \_\_\_\_\_ Variety 3. \_\_\_\_\_

\*1. SPECIES:

  X   *G. hirsutum* L.        *G. barbadense* L.

\*2. AREA(S) OF ADAPTATION: (A = Adapted, NA = Not Adapted, NT = Not Tested)

<u>  A  </u> Eastern	<u>  A  </u> Delta	<u>  NT  </u> Central	<u>  NT  </u> Blacklands
<u>  NT  </u> Plains	<u>  NT  </u> Western	<u>  NT  </u> Arizona	<u>  NT  </u> San Joaquin
<u>      </u> Other (Specify): _____			

3. GENERAL: Characteristics which are known to be variable but are still useful for a meaningful description of the variety.

	Application Variety	Comparison Variety 1	Comparison Variety 2	Comparison Variety 3
<b>Plant Habit:</b> Spreading, Intermediate, Compact	<u>Intermediate</u>	<u>Intermediate</u>	_____	_____
<b>Foliage:</b> Sparse, Intermediate, Dense	<u>Dense</u>	<u>Dense</u>	_____	_____
<b>Stem Lodging:</b> Lodging, Intermediate, Erect	<u>Intermediate</u>	<u>Intermediate</u>	_____	_____
<b>Fruiting Branch:</b> Clustered, Short, Normal	<u>Short</u>	<u>Short</u>	_____	_____

**Growth:**Determinate, Intermediate,  
Indeterminate

Intermediate

Intermediate

**Leaf Color:**Greenish yellow, Light green,  
Medium green, Dark green

Dark green

Dark green

**Boll Shape:** Length less than width,  
Length equal to width,  
Length more than width

Length&gt;width

Length&gt;width

**Boll Breadth:** Broadest at base,  
Broadest at middle

Broadest at middle

Broadest at middle

\*4. MATURITY: (50 % Open bolls; Preferred method; Describe method if different method was used.)

% open bolls rating taken on a given date before harvest

% open bolls

80.0

83.3

## 5. PLANT:

**Cm to 1st Fruiting Branch:**

(from cotyledonary node)

13.9

13.1

**No. of Nodes to 1st Fruiting Branch:**

(excluding cotyledonary node)

6.1

5.5

**Mature Plant Height cm:**

(from cotyledonary node to terminal)

116.1

116.2

\*6. LEAF: Upper most, fully expanded leaf.

**Type:** Normal, Sub Okra,  
Okra, Super Okra

Normal

Normal

**Pubescence:** Absent, Sparse,  
Medium, Dense **OR** Trichomes/cm<sup>2</sup>  
(Bottom surface excluding veins)

Sparse

Sparse

**Nectaries:** Present or Absent

Present

Present

\*7. STEM PUBESCENCE:

Glabrous, Intermediate, Hairy

Intermediate

Intermediate

\*8. GLANDS: (Gossypol) Absent, Sparse, Normal, More Than Normal

**Leaf:**

Normal

Normal

**Stem:**

Normal

Normal

**Calyx Lobe:** (normal is absent)

Normal

Normal

## \*9. FLOWER:

**Petals:** Cream, Yellow

Cream

Cream

**Pollen:** Cream, Yellow

Cream

Cream

Petal Spot: Present, Absent

Absent

Absent

200500275

\*10. SEED:

Seed Index:

(g/100 seed, fuzzy basis)

10.23

10.18

Lint Index:

(g lint/100 seeds)

7.66

7.31

\*11. BOLL:

Lint Percent:

X Picked

Pulled

42.78

40.99

OR

Gin Turnout:

Picked

Stripped

Number of Seeds per Boll

30.7

29.3

Grams Seed Cotton per Boll

5.4

5.2

Number of Locules per Boll

4-5

4-5

Boll Type:

(Stormproof, Storm Resistant, Open)

Open

Open

12. FIBER PROPERTIES:

Specify Method (HVI or other):

HVI

\* Length: (inches, 2.5% SL)

1.175

1.187

\* Uniformity: ( % )

83.69

83.93

\* Strength, T1 (g/tex)

30.66

31.61

\* Elongation, E1 ( % )

10.50

10.81

\* Micronaire:

4.32

4.18

Fineness (Source )

NT

NT

Yarn Tenacity: (cN/tex, 27 tex)

NT

NT

Yarn Strength: (lbs. 22's)

NT

NT

13. DISEASES: (NT = Not Tested, S = Susceptible, MS = Moderately Susceptible, MR = Moderately Resistant, R = Resistant)

NT *Alternaria macrospora*

NT Fusarium Wilt

NT Anthracnose

NT Phymatotrichum Root Rot

NT Ascochyta Blight

NT *Pythium* (specify species)

NT Bacterial Blight (Race 1)

NT *Rhizoctonia solani*

☐ NT Bacterial Blight (Race 2)

☐ NT Southwestern Cotton Rust

☐ NT Bacterial Blight (Race )

☐ NT Thielaviopsis basicola

200500275

13. DISEASES : (continued)

☐ NT Diplodia Boll Rot

☐ NT Verticillium Wilt

☐ Other (specify) \_\_\_\_\_

14. NEMATODES, INSECTS AND PESTS: (NT = Not Tested, S = Susceptible, MS = Moderately Susceptible, MR = Moderately Resistant, R = Resistant)

☐ NT Root-Knot Nematode

☐ NT Reniform Nematode

☐ NT Boll Weevil

☐ NT Grasshopper (specify species): \_\_\_\_\_

☐ NT Bollworm

☐ NT Lygus (specify species): \_\_\_\_\_

☐ NT Cotton Aphid

☐ NT Pink Bollworm

☐ NT Cotton Fleahopper

☐ NT Spider Mite (specify species): \_\_\_\_\_

☐ NT Cotton Leafworm

☐ NT Stink Bug (specify species): \_\_\_\_\_

☐ NT Cutworm (specify species): \_\_\_\_\_

☐ NT Thrips (specify species): \_\_\_\_\_

☐ NT Fall Armyworm

☐ NT Tobacco Bud Worm

☐ Other (specify): \_\_\_\_\_

15. COMMENTS: Present any additional information that cannot adequately be described in 1 through 13 which significantly distinguishes your variety.

05X494BR contains two proprietary genes, patented by the Monsanto Company and licensed to D&PL. One gene encodes a protein providing resistance to the herbicide glyphosate (ROUNDUP®), and the other gene encodes an active Bt endotoxin (BOLLGARD®).

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S) <b>D&amp;PL TECHNOLOGY HOLDING COMPANY, LLC.</b>	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER <b>05X494BR</b>	3. VARIETY NAME <b>'06CX924BR'</b>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) <b>P.O. Box 157 Scott, Mississippi 38772</b>	5. TELEPHONE (Include area code) <b>(662) 742-4141</b>	6. FAX (Include area code) <b>(662) 742-3182</b>
7. PVPO NUMBER <b>200500275</b>		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.

YES ☒ NO ☐

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.

YES ☒ NO ☐

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (If needed, use the reverse for extra space):

**05X494BR contains two proprietary genes, patented by the Monsanto Company and licensed to D&PL. One gene encodes a protein providing resistance to the herbicide glyphosate, and the other encodes an insect toxin.**

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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